

Fill in this information to identify the case:

Debtor 1 Ernest G. Foland

Debtor 2 Barbara J. Foland
(Spouse, if filing)

United States Bankruptcy Court for the: _____ District of NE
(State)

Case number 13-41518-TLS

d 11/09/18 16:52:01 Desc Main
5

Form 4100R

Response to Notice of Final Cure Payment

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

Part 1: Mortgage Information

Name of creditor: U.S. Bank Trust National Association, as Trustee of the SCIG Series III Trust Court claim no. (if known): 3

Last 4 digits of any number you use to identify the debtor's account: 2 1 7 7

Property address: 717 Fuller Street
Number Street

Fullerton, NE 68638
City State ZIP Code

Part 2: Prepetition Default Payments

Check one:

- ☒ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☐ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ _____

Part 3: Postpetition Mortgage Payment

Check one:

- ☐ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: / /
MM / DD / YYYY

- ☒ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: (a) \$ 2146.30
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$ (573.83)
- c. **Total.** Add lines a and b. (c) \$ 1572.47

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

09 / 21 / 2018
MM / DD / YYYY

Debtor 1 Ernest G. Foland
First Name Middle Name Last Name

Case number (if known) 13-41518-TLS

Part 4: Itemized Payment History

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

Part 5: Sign Here

The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.

Check the appropriate box::

- ☐ I am the creditor.
☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

X /s/ Michelle Ghidotti
Signature

Date 11 / 09 / 2018

Print Michelle Ghidotti, Esq.
First Name Middle Name Last Name

Title Authorized Agent for Creditor

Company The Law Offices of Michelle Ghidotti

If different from the notice address listed on the proof of claim to which this response applies:

Address 1920 Old Tustin Ave.
Number Street

Santa Ana, CA 92705
City State ZIP Code

Contact phone (949) 427 - 2010

Email mghidotti@ghidottilaw.com



Payment Changes				
Date	P&I	Escrow	Total	Notice Filed
8/21/2013	\$914.59	\$147.90	\$1,062.49	Filed w/POC
10/21/2013	\$914.59	\$150.65	\$1,065.24	Filed w/POC
12/21/2017	\$914.59	\$158.56	\$1,073.15	NOPC
		\$0.00		NOPC
		\$0.00		
		\$0.00		

Loan Information	
Loan #	2177
Borrower	Foland
BK Case #	13-41518
Date Filed	8/8/2013
First Post Petition	
Due Date	8/21/2013
POC Covers	3/21/12-7/21/13

Date	Amount Rcvd	Post Pet Due Date	Contractual Due Date	Amt Due	Over/Short	Suspense Credit	Suspense Debit	Suspense Balance	POC Arrears Credit	POC Debit	POC Suspense Balance	POC Paid to Date	Comments
		Missing Prior Servicer's Payment History from 8/8/13-10/10/16			\$0.00			\$0.00			\$0.00	\$0.00	
10/24/2016	\$1,065.24	3/21/2016	10/21/2015	\$1,065.24	\$0.00			\$0.00			\$0.00	\$0.00	
11/21/2016		Trustee Payment			\$0.00			\$0.00	\$502.33		\$502.33	\$502.33	
12/2/2016		Trustee Payment			\$0.00			\$0.00	\$500.00		\$1,002.33	\$1,002.33	
12/7/2016	\$9,640.32	4/21/2016	11/21/2015	\$1,065.24	\$8,575.08	\$8,575.08		\$8,575.08			\$1,002.33	\$1,002.33	
12/7/2016		5/21/2016	12/21/2015	\$0.00			\$1,065.24	\$7,509.84			\$1,002.33	\$1,002.33	
12/7/2016		6/21/2016	1/21/2016	\$0.00			\$1,065.24	\$6,444.60			\$1,002.33	\$1,002.33	
12/7/2016		7/21/2016	2/21/2016	\$0.00			\$1,065.24	\$5,379.36			\$1,002.33	\$1,002.33	
12/7/2016		8/21/2016	3/21/2016	\$0.00			\$1,065.24	\$4,314.12			\$1,002.33	\$1,002.33	
12/7/2016		9/21/2016	4/21/2016	\$0.00			\$1,065.24	\$3,248.88			\$1,002.33	\$1,002.33	
12/7/2016		10/21/2016	5/21/2016	\$0.00			\$1,065.24	\$2,183.64			\$1,002.33	\$1,002.33	
12/7/2016		11/21/2016	6/21/2016	\$0.00			\$1,065.24	\$1,118.40			\$1,002.33	\$1,002.33	
12/7/2016		12/21/2016	7/21/2016	\$0.00			\$1,065.24	\$53.16			\$1,002.33	\$1,002.33	
1/11/2017	\$1,064.00	1/21/2017	8/21/2016	\$1,065.24	-\$1.24		\$1.24	\$51.92			\$1,002.33	\$1,002.33	
1/30/2017		Trustee Payment			\$0.00			\$51.92	\$1,000.00		\$2,002.33	\$2,002.33	
3/14/2017	\$1,067.00	2/21/2017	9/21/2016	\$1,065.24	\$1.76	\$1.76		\$53.68			\$2,002.33	\$2,002.33	
3/21/2017		PRE-Petition Applied	10/21/2016		\$0.00			\$53.68		\$1,065.24	\$937.09	\$2,002.33	
4/24/2017	\$1,065.24	3/21/2017	11/21/2016	\$1,065.24	\$0.00			\$53.68			\$937.09	\$2,002.33	
5/1/2017		Trustee Payment			\$0.00			\$53.68	\$500.00		\$1,437.09	\$2,502.33	
5/30/2017		Trustee Payment			\$0.00			\$53.68	\$1,000.00		\$2,437.09	\$3,502.33	
5/31/2017		PRE-Petition Applied	12/21/2016		\$0.00			\$53.68		\$1,065.24	\$1,371.85	\$3,502.33	
5/31/2017	\$1,065.24	4/21/2017	1/21/2017	\$1,065.24	\$0.00			\$53.68			\$1,371.85	\$3,502.33	
7/7/2017	\$1,065.24	5/21/2017	2/21/2017	\$1,065.24	\$0.00			\$53.68			\$1,371.85	\$3,502.33	
8/1/2017	\$1,065.24	6/21/2017	3/21/2017	\$1,065.24	\$0.00			\$53.68			\$1,371.85	\$3,502.33	
8/9/2017		Trustee Payment			\$0.00			\$53.68	\$1,000.00		\$2,371.85	\$4,502.33	
8/11/2017		PRE-Petition Applied	4/21/2017		\$0.00			\$53.68		\$1,065.24	\$1,306.61	\$4,502.33	
9/5/2017	\$2,143.44	7/21/2017	5/21/2017	\$1,065.24	\$1,078.20	\$1,078.20		\$1,131.88			\$1,306.61	\$4,502.33	
9/5/2017		8/21/2017	6/21/2017	\$1,065.24	-\$1,065.24		\$1,065.24	\$66.64			\$1,306.61	\$4,502.33	
9/25/2017		Trustee Payment			\$0.00			\$66.64	\$500.00		\$1,806.61	\$5,002.33	
9/28/2017		PRE-Petition Applied	7/21/2017		\$0.00			\$66.64		\$1,065.24	\$741.37	\$5,002.33	
10/11/2017	\$1,065.24	9/21/2017	8/21/2017	\$1,065.24	\$0.00			\$66.64			\$741.37	\$5,002.33	
10/30/2017		Trustee Payment			\$0.00			\$66.64	\$500.00		\$1,241.37	\$5,502.33	
11/14/2017	\$1,074.00	10/21/2017	9/21/2017	\$1,065.24	\$8.76	\$8.76		\$75.40			\$1,241.37	\$5,502.33	
11/22/2017		Trustee Payment			\$0.00			\$75.40	\$495.41		\$1,736.78	\$5,997.74	
12/14/2017	\$4,265.72	11/21/2017	10/21/2017	\$1,065.24	\$3,200.48	\$3,200.48		\$3,275.88			\$1,736.78	\$5,997.74	
1/2/2018		Trustee Payment			\$0.00			\$3,275.88	\$495.41		\$2,232.19	\$6,493.15	
2/9/2018		Trustee Payment			\$0.00			\$3,275.88	\$495.41		\$2,727.60	\$6,988.56	
3/5/2018		Trustee Payment			\$0.00			\$3,275.88	\$495.41		\$3,223.01	\$7,483.97	
3/6/2018	\$1,066.00	12/21/2017	11/21/2017	\$1,073.15	-\$7.15		\$7.15	\$3,268.73			\$3,223.01	\$7,483.97	
4/4/2018		Trustee Payment			\$0.00			\$3,268.73	\$233.95		\$3,456.96	\$7,717.92	
4/13/2018	\$1,065.24	1/21/2018	12/21/2017	\$1,073.15	-\$7.91		\$7.91	\$3,260.82			\$3,456.96	\$7,717.92	
5/30/2018	\$1,089.82	2/21/2018	1/21/2018	\$1,073.15	\$16.67	\$16.67		\$3,277.49			\$3,456.96	\$7,717.92	
7/3/2018	\$1,600.00	3/21/2018	2/21/2018	\$1,073.15	\$526.85	\$526.85		\$3,804.34			\$3,456.96	\$7,717.92	
9/12/2018	\$1,070.00	4/21/2018	3/21/2018	\$1,073.15	-\$3.15		\$3.15	\$3,801.19			\$3,456.96	\$7,717.92	
10/16/2018	\$1,065.24	5/21/2018	4/21/2018	\$1,073.15	-\$7.91		\$7.91	\$3,793.28			\$3,456.96	\$7,717.92	
10/16/2018		6/21/2018	5/21/2018	\$1,073.15	-\$1,073.15		\$1,073.15	\$2,720.13			\$3,456.96	\$7,717.92	
10/16/2018		7/21/2018	6/21/2018	\$1,073.15	-\$1,073.15		\$1,073.15	\$1,646.98			\$3,456.96	\$7,717.92	
10/16/2018		8/21/2018	7/21/2018	\$1,073.15	-\$1,073.15		\$1,073.15	\$573.83			\$3,456.96	\$7,717.92	
10/16/2018		PRE-Petition Applied	8/21/2018		\$0.00			\$573.83		\$1,065.24	\$2,391.72	\$7,717.92	
					\$0.00			\$573.83			\$2,391.72	\$7,717.92	
					\$0.00			\$573.83			\$2,391.72	\$7,717.92	
					\$0.00			\$573.83			\$2,391.72	\$7,717.92	
					\$0.00			\$573.83			\$2,391.72	\$7,717.92	

Michelle R. Ghidotti-Gonsalves, Esq. (SBN 232837)
Kristin A. Zilberstein (SBN 24104960)
LAW OFFICES OF MICHELLE GHIDOTTI
1920 Old Tustin Ave.
Santa Ana, CA 92705
Ph: (949) 427-2010
Fax: (949) 427-2732
mghidotti@ghidottilaw.com

Authorized Agent for Creditor
U.S. Bank Trust National Association, as Trustee of the SCIG Series III Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEBRASKA –LINCOLN OFFICE DIVISION

In Re:)	CASE NO.: 13-41518-TLS
)	
ERNEST G. FOLAND and BARBARA J.)	CHAPTER 13
FOLAND,)	
)	CERTIFICATE OF SERVICE
Debtors.)	
)	
)	
)	
)	

CERTIFICATE OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is: 1920 Old Tustin Ave., Santa Ana, CA 92705.

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day of deposit in the ordinary course of business.

On November 9, 2018 I served the following documents described as:

- RESPONSE TO NOTICE OF FINAL CURE PAYMENT**

on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

(Via United States Mail)

Debtor

Ernest G. Foland
717 Fuller St.
P.O. Box 503
Fullerton, Ne 68638

Joint Debtor

Barbara J. Foland
717 Fuller St.
P.O. Box 503
Fullerton, Ne 68638

Debtors' Counsel

Jeremiah Luebbe
Steffens Law Office
P.O. Box 363
255 So. 10th Ave.,
Broken Bow, NE 6882

Trustee

Kathleen Laughlin
Chapter 13 Trustee's Office
13930 Gold Circle
Suite 201
Omaha, NE 68144

U.S. Trustee

Jerry Jensen
Acting Assistant UST
U.S. Trustee's Office
111 South 18th Plz, Suite 1148
Omaha, NE 68102

xx (By First Class Mail) At my business address, I placed such envelope for deposit with the United States Postal Service by placing them for collection and mailing on that date following ordinary business practices.

 Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the Eastern District of California

xx (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 9, 2018 at Santa Ana, California

/s / Steven P. Swartzell
Steven P. Swartzell